

Serial No.: Not Assigned
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IN THE CLAIMS

Please replace pending claims 1-26 with new replacement claims 1-26.

- Sub
A
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B
1. A recombinant nucleic acid encoding an Apop3 protein that comprises an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6.
2. A recombinant nucleic acid according to claim 1 comprising the nucleotide sequence depicted in Figure 5 or its complement.
3. A recombinant nucleic acid according to claim 1 wherein said nucleic acid hybridizes under high stringency conditions to the nucleotide sequence depicted in Figure 5 or its complement.
4. A recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 or its complement.
5. A recombinant nucleic acid according to claim 1 wherein said Apop3 protein comprises the amino acid sequence depicted in Figure 6.
6. A recombinant nucleic acid according to claim 1 wherein said Apop3 protein is a human Apop3 protein.
7. A recombinant nucleic acid comprising nucleotides 1-822 depicted in

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Figure 5, or its complement.

8. A recombinant nucleic acid according to claim 1 operably linked to control sequences recognized by a host cell transformed with the nucleic acid.

9. An expression vector comprising the nucleic acid of claim 1.

10. A host cell comprising the nucleic acid of claim 1.

11. A host cell comprising the expression vector of claim 9.

12. A recombinant Apop3 protein comprising an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6.

13. An Apop3 protein according to claim 12 comprising the amino acid sequence depicted in Figure 6.

14. An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid comprising the nucleotide sequence depicted in Figure 5 or its complement.

15. An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 or its complement.

16. An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid will hybridize under high stringency conditions to the nucleotide sequence depicted in Figure 5 or its

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complement.

17. An Apop3 protein according to claim 12 wherein said Apop3 protein is a human Apop3 protein.

18. A recombinant Apop3 protein comprising the amino acid sequence 1-274 depicted in Figure 6.

19. A process for producing an Apop3 protein according to claim 12 comprising culturing the host cell of claim 10 under conditions suitable for expression of said Apop3 protein.

20. A process according to claim 19, further comprising recovering said Apop3 protein.

21. A monoclonal antibody which specifically binds to an Apop3 protein according to claim 12.

22. A monoclonal antibody according to claim 21 that reduces or eliminates the biological function of said Apop3 protein.

23. A method for screening for a bioactive agent capable of binding to an Apop3 protein according to claim 12, said method comprising:

- a) combining said Apop3 protein and a candidate bioactive agent; and
- b) determining the binding of said candidate bioactive agent to said Apop3 protein.

24. A method for screening for a bioactive agent capable of interfering with the binding of an Apop3 protein according to claim 12 and RIP, said method

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comprising:

- a) combining said Apop3 protein, a candidate bioactive agent and a RIP protein; and
- b) determining the binding of said Apop3 protein and said RIP protein.

25. A method for screening for a bioactive agent capable of modulating the activity of an Apop3 protein according to claim 12, said method comprising the steps of:

- a) adding a candidate bioactive agent to a cell comprising a recombinant nucleic acid encoding said Apop3 protein; and
- b) determining the effect of the candidate bioactive agent on apoptosis.

26. A method according to claim 25 wherein a library of candidate bioactive agents is added to a plurality of cells comprising a recombinant nucleic acid encoding said Apop3 protein.--

While no fee is believed to be due, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-68285/RMS/DHR).

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

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Robin M. Silva, Reg. No. 38,304

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989

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